

Friday, March 24, 2023

## Meeting Minutes

Public Meeting 9:30 a.m. to 12:30 p.m.

ZOOM Meeting Platform

A regular public meeting of the New Jersey State Interagency Coordinating Council (SICC) was held on Friday, March 24, 2023. The meeting was held via ZOOM meeting platform. The meeting was called to order at approximately 9:30 a.m. by Joyce Salzberg, Acting Chair.

### Welcome

Joyce Salzberg welcomed attendees and read the Welcome Statement.

### Attendance

Maintained by the Department of Health (DOH)

### Introductions

I. SICC members and DOH representatives were introduced.

**Welcome, Josephine Shenouda**, Director of the Early Intervention System (EIS).

Josephine Shenouda spoke about her extensive background in childhood disabilities, specifically Autism. She has worked on multiple public health projects as part of a large network for the Centers For Disease Control (CDC.) Her recent clinical research has shown the downstream benefits of Early Intervention.

II. Quorum requirements were met.

III. Public members signed their attendance through the chat box in the ZOOM platform.

### Remarks to the SICC from Commissioner, Judith Persichilli, RN, BSN, MA

Commissioner Persichilli gave her gratitude to all in the Early Intervention System and her appreciation for those who lent their time and expertise on the Rate Study for Early Intervention . The study will be released after a series of approval processes. The Commissioner reiterated that the study does not set rates, but rather provides guidance on cost efficiencies and comparisons. There will be another 7.5% increase to rates for the EIP Providers beginning July 1, 2023. That rate increase will be added to the increase of 7.5% that was given last year for a total of a little over 15%. Looking at the State Budget, the EIS allocation is flat funding from the previous State Fiscal year, as the EI budget has surplus funds to cover the increase in rates.

Commissioner Persichilli spoke about several items that deserve further review like the analysis of agency solvency. There is a very wide range of financial health. A Council member asked the Commissioner if there was any consideration for eliminating the Family Cost Share (FCP) requirement. The DOH responded that the continuation of Family Cost share is continually reviewed and currently the Biden Administration is in support of eliminating family fees for all Part C Programs, however, Congress has not acted on this recommendation.

CLARIFICATION – Susan Evans clarified that the 7.5% increase is specific to rates paid to provider agencies under their fee-for service agreements and does not include Service Coordination Service Coordination Units (SCUs). The SCUs are formula grants, are intended to have a 60:1 caseload for 35 hours per week and 70:1 for 40 hour week.

### **Approval of Minutes**

The January 20, 2023 Minutes were *APPROVED*; 11 Yes, no opposed, no discussion.

### **SICC Member Updates**

I. Kimberly Peto spoke in general regarding Service Coordination Units (SCUs) across the State. The SCUs are struggling with extremely high caseloads. She brought attention to the many “moving pieces” regarding many new families per week and the many meetings involved. The EIMS still consists of many workarounds. Kimberly Peto appreciates the State’s support.

**Discussion:** Joyce Salzberg mentioned the caseload was previously voted to be 70:1 then reduced to 60:1. She also recognized the high turnover rate of Service Coordinators. Nicole Edwards commented that she recognizes the struggle, and the many supports Service Coordinators give to families. As part of the deep dive the Commissioner mentioned in her remarks, DOH will be examining each of the system components including the work of service coordination. The DOH is exploring operational changes that would remove the work of Family Cost Participation from the responsibilities of the ongoing service coordinators. A question arose about the funding source for Service Coordination. It was clarified that Service Coordination is funded by Federal and State funds. This also includes the Single Point of Entry (SPOE) Service Coordinators.

II. Joyce Salzberg – updated that it is Sunny Days’ 29<sup>th</sup> Anniversary.

III. Joyce Salzberg announced the official resignation of Kyle Chris Arlington, SICC Parent Representative.

**Discussion:** The SICC is in need of Members; especially parents and a Legislator, among other vacancies. Please send applicants information to Josephine Shenouda ([Josephine.shenouda@doh.nj.gov](mailto:Josephine.shenouda@doh.nj.gov)) and Susan Evans ([susan.evans@doh.nj.gov](mailto:susan.evans@doh.nj.gov).)

### **SICC Standing & Ad Hoc Committees Reports**

**Administrative/Policy Committee**, vacant chair, Susan Marcario presented on behalf of the committee

- I. Budget was emailed to SICC Council Members prior to today's meeting.
- II. Susan Marcario requested SICC Members review the budget and will be voted on at the next meeting.
- III. Joyce Salzberg suggested modifying and raising the Regional Early Intervention Collaborative (REIC) funds for the Early Intervention week activities because they were lowered due to COVID when there were no in person activities
- IV. The Committee is seeking additional Members, including a Chair Person for this Committee.

**Service Delivery Committee, Virginia Lynn, Chair**

- I. The Committee will begin to plan short-term, medium-term, and long-term goals.
- II. This Committee will begin by continuing work on the stipend for participation in trainings from the Department of Health (DOH.)
- III. The Committee felt that Continuing Education Units (CEUs) for all disciplines is important and is building relationships with professional associations to promote this.
- IV. The Committee wants to secure additional funds to sustain Montclair University's partnership.
- V. Work with the Personnel Preparation Committee to consider an Early Intervention (EI) Certification and details supporting this certification.
- VI. DOH updated that the recommendations from the Sub-Committee regarding translation and interpretation documents were useful. The Department has accepted all the recommendations. Drafts have begun around the processes and procedures for translation that will be made into Policy and Procedure in the future.

**Fiscal Infrastructure Committee, Kathleen Hinnigan-Cohen, Chair**

- I. The Committee is reviewing and will provide the State feedback on the Family Cost Participation (FCP) Handbook provided by the DOH.
- II. The Committee is looking into understanding insurance reimbursement for EI.
- III. The Committee is working with the State Data Team regarding drop downs to the Early Intervention Management System (EIMS) and the data the drop downs are beginning to provide.
- IV. The Committee expressed a concern regarding the State Early Intervention vacant positions.
- V. A question was asked regarding the creation of a No Provider Available (NPA) Taskforce. DOH RESPONSE: The NPA is a symptom of larger systemic issues that the Commissioner wants to investigate, therefore, no taskforce will be formed at this time.
- VI. The Committee has a concern regarding the designated persons who are reviewing NPAs. The Committee is requesting a special meeting with the Personnel Preparation, Service Delivery, Service Coordination, and Procedural Safeguards Office (PSO) to discuss the global management impact and some possible solutions for the current and future compensatory service awards. DOH RESPONSE: PSO and State staff met with the Federal Project Manager and a Representative from the Office of Special Education Programs (OSEP) and the State was given guidance on potential information for a guidance document that meets OSEP standards. All compensatory services already awarded are generally grandfathered.
- VII. The Committee has a concern regarding the report function in EIMS. They will be sending out a survey to get their feedback on the report functions.

**Personnel Preparation Committee, Corinne Catalano, Chair**

- I. Kristen Kugelman (DOH) presented in Corinne Catalano's absence.
- II. The Clarifying Statement was sent to SICC Council Members prior to today's meeting.
- III. The Committee took the Personnel Standards and created Applicant Review Forms as guidance for agencies in the hiring process. The Service Coordinator and the Child Development Specialist Roles had the most questions therefore that was the Committee's focus. The Service Coordination Guidance is being piloted now.
- IV. The Council had a question regarding the purpose of these forms, so the Committee created a clarifying statement to place on the top of each document to ensure the purpose of the document is clear.
- V. The Committee is proposing to present the documents at each Regional Early Intervention Collaborative's (REIC's) Provider Meeting.
- VI. Will vote on the entire package in May. Joyce Salzberg commented on the clarifying statement looks to have satisfied the concerns of the Council.

**Family Support & Transition Committee, Nicole Edwards, Chair**

- I. Nicole Edwards welcomed the new members of the Committee. The Committee is broken down into 2 groups.
- II. The Committee is creating a survey to send to contacts with Part B school system, asking what questions are they getting from families regarding transition.
- III. The Committee is working on what the messaging looks like to families viewing the REIC webpage and DOH website.

**Regional Early Intervention Collaborative (REIC) Update**

- I. Presented by Karen Armas-Landau, Family Support Coordinator for Mid-Jersey CARES.
- II. Spoke about the Early Intervention Week. The REICs are looking to return to in person activities, therefore there is a request to increase funding for this work.
- III. Karen Armas-Landau shared the draft flyer for Early Intervention Week. Their topic is "Creating Connections Through Everyday Moments."
- IV. Each REIC plans to have virtual and in person events.

*MOTION:* Council Members were asked to vote on restoring the \$1,500.00 to each REIC for Early Intervention Week.

Motioned by Catherine Colucci, seconded by Kimberly Peto.

*DISCUSSION:* Council discussed. Voting on the whole budget will be in May, however a vote on EI week funds was held as EI Week occurs in May prior to the Council's full budget vote.

*APPROVED:* 11 approved, no opposed.

**Lead Agency Report, Susan Evans, Part C Coordinator**

- I. Two long time staff have left their positions with their Early Intervention Providers (EIPs). Tracy Puglia has left her role with Shirley Eves and Sue Ross will be leaving St. John of God at the end of March. Thank you both for your dedication and service to the New Jersey Early

## Intervention System (NJEIS.)

### II. Federal Updates

- A. The Part C Application for federal funds for Federal Fiscal Year 2023 (FFY23) is available on the Department of Health/Early Intervention System (DOH/EIS) homepage. It has been emailed to stakeholders. Public comment period starts April 1 through May 1.
- B. The fiscal funding formula for FFY23 has not been provided to states, therefore, the spending categories are based on the funding that was received in FFY22.
- C. This year, a new General Education Provisions Act (GEPA) form was required by all that applied for The United States Department of Education (USDOE) funding.
- D. Differentiated Monitoring and Support (DMS)
  - i. The Office of Special Education Programs (OSEP) cycle of monitoring of states for compliance and quality of Part C (and B) systems.
  - ii. There are 5 cohorts, NJ has not yet been identified for a DMS process. There are multiple states that have concluded the process and there are several key findings that require the New Jersey Early Intervention System's (NJEIS) attention.
- E. OSEP Findings in the Monitoring Process (general findings, not NJ specific).
  - i. States only monitoring on the State Performance Plans/Annual Performance Reports (SPP/APR) indicators
  - ii. States are not collecting data or monitoring Early Intervention System (EIS) providers to determine whether Part C services are being provided consistent with the Individual Family Service Plans (IFSPs.) The term providers also refer to the Service Coordination Units (SCUs.)
  - iii. States did not have accurate and sufficient written policies and procedures to help the State determine compliance with Individuals with Disabilities Education Act (IDEA) with their EIS providers, including whether Part C services were being implemented as written on the IFSP.
  - iv. States are not monitoring to ensure that the EIS providers are correctly entering data into the States data system and are therefore not timely identifying and verifying the correction of noncompliance of SPP/APR data.
  - v. OSEP found that States were unable to provide evidence of contractual oversight of EIS providers
  - vi. including the general administration and supervision of EIS programs and activities administered by contracted organizations, and EIS providers receiving assistance under Part C.

### III. State Updates

- A. Procedural Safeguards Office (PSO) updates
  - i. The New Jersey Early Intervention Procedural Safeguards Office (PSO) has not received any new formal complaints since the last SICC Meeting.
  - ii. The PSO has received six allegations of fraud, waste, and abuse against five practitioners reported by three EIPs and one REIC as of March 21, 2023.
  - iii. PSO Informal Complaints from July 1, 2022 to March 21, 2023 received is 815:
    - a. Informal requests for assistance by families and/or the Early Intervention System,
    - b. Compensatory requests and services authorized for missed services or disruptions
    - c. Family Cost Participation and billing disputes,

- d. EIMS issues, and
- e. Practitioner conduct.

B. System Building Initiatives

- I. The Learning Management System (LMS) is expected to meet the timeline for go-live.
- II. The Battelle Developmental Inventory-3 (BDI-3) transition is on target with the project timeline.
- III. Updates were made to the EIMS in the Evaluation section.
- IV. Statewide Broadcast System will be rolled-out by the end of Summer.

C. The American Rescue Plan Funds Total Received \$5.8 Million:

Project	Funds spent or obligated as of November Feb 14, 2023	Timeline	Funding Source
Gas stipend for practitioners	\$693,602.00	Completed June 2022	DOH
Rate Study Stipend for practitioners (1,446 practitioners)	\$161,952.00	Completed June 2022	DOH
Rate Study	\$267,000.00	Completed September 2022	DOH
E-Pyramid Training for 1,000 practitioners (MSU)	\$200,000.00	November 2022- September 2023	FL Budget Mod
Stipends for Practitioners E-Pyramid Modules	\$150,000.00	Obligated November – September 2023	March, June, Sept. 2023 DOH
PPE for EIPs	\$134,896	Completed	DOH

Project	Funds spent or obligated as of February 2023	Timeline	Funding Source
FFS Translation of family documents	\$556,000	Spring 2023	Budget mod – 3 REICS
Technology for TETs \$1,300 pp *450 evaluators	\$559,000 I	Spring 2023	DOH- Check Run to EIP/TET March 24 2023
Technology upgrades for SC/REIC \$1,300 pp * 267 people	\$400,000	SFY 24 grant	SFY 24 grant
Additional Evaluation materials (hearing legislation)	TBD/~ 20k	SFY24 grant	SFY24 grant

Project	Funds spent or obligated as of February 14, 2023	Timeline	Funding Source
Purchase/Contract for BDI-3 kits, website licensing, consultant, training, electronic record forms etc.	\$870,000.00	Purchased November 2022, implementation January to March 2023	Budget Mod-FL
Learning Management System (LMS) incl. updated PSO modules	\$200,000	Go-Live Feb/March 2023	DOH
Child Find Materials/Marketing	\$75,000	June 2022 and continuing	Budget Mod-FL
Routines Based Intervention Training and Credentials for SCU	\$60,000	February 2022 and continuing	Budget Mod-FL
Reflective Supervision training for EIP administrators	\$30,000	Begin 2023	Budget Mod-FL
Cumberland County Grant	\$1,000,000	In development	TBD
*New Additional MSU Pyramid Model	\$ 500,000	July 1, 2023	FL 2023 grant

#### D. Early Intervention Data

- i. Referral numbers are up. This is about 100 more children per week than in 2019.
- ii. Point in time child count is consistent around 18,000.
- iii. Number of enrolled practitioners = 3,900.
- iv. Eligibility rate statewide = 80%.
- v. NPA = 1,050 services last week.
- vi. Number of services provided last week 15,642.
- vii. Percentage in NPA = 6.7%.

The Council discussed items from the Lead Agency Report:

- I. Nicole Edwards – Is the State taking comment regarding the data entry monitoring yet?
  - a. DOH Response – Not yet.
- II. Kathleen Hinnigan-Cohen – Regarding compensatory services, does the State maintain a current list of the total? And can the number be presented at the next meeting?
  - a. DOH Response – Yes. The State receives a weekly list from Service Coordination. Yes, the PSO office can present that information at the next meeting.
- III. Kathleen Hinnigan-Cohen – The Commissioner reported the budget is flat with no increase. With the 7.5% increase already incorporated in it, what is not getting funded for it to be a flat budget?
  - a. DOH Response - There is a surplus in Medicaid COVID dollars DOH will be using. Everything that is funded will continue to be funded.
- IV. Virginia Lynn – Will the Broadcast system be through the EIMS?
  - a. DOH Response – It will be a separate system, external to EIMS.
- V. Dr. Joseph Holahan – How does New Jersey’s 6.7% NPA compare with other states?
- VI. DOH Response – Approximately 95% of States report they are having a provider shortage and are struggling to meet services timely.
- VII. Joyce Salzberg – Is there something the Personnel Preparation Committee can address with higher education?

- a. Catherine Colucci – the Personnel Preparation Committee had a lot of initiatives in that direction but was asked to shift focus.
- b. DOH Response – There are initiatives and funding for strengthening pre-service at the Federal level, however it will take time to see the results of those initiatives.

## **New Business**

### **I. Future Meeting Dates:**

May 19, 2023

September 22, 2023

November 17, 2023

Retreat April or July TBD

### **II. May 19, 2023 SICCC Public meeting will be held virtually.**

Council Members continue to prefer the virtual meeting format which has increased the number of public members and stakeholders who attend and participate. Discussed the retreat being in-person with a possible virtual option.

## **Old Business**

- I. NPA Taskforce was discussed. See Fiscal Infrastructure Committee section.
- II. SICCC Retreat discussion. Brandy Acolia will send a survey asking Council Members if they would like the retreat in April or June. Possible topics being NPA and focus on some questions and concerns OSEP may have. It will be held in person at the Sunny Days office.

## **Public Comments**

### **The following comments were made by members of the public:**

Cynthia Newman, Director, Mid-Jersey CARES – If we could get families more comfortable with Telehealth, this could help clean up the NPA list. Would like NJEIS to look closer as to why there is resistance to Telehealth services.

David (Kenneth) Holmes, ABCD EIPA – Thanked the Commissioner and EI Staff for their support. Listened to the comments of Kimberly Peto and realizes the issues that the Service Coordination Units are having. Also recognized the State Office staff vacancies. There is an urgency to address NPAs. There is a need for data and appreciate the effort towards making it more accessible for agencies to manipulate. Restore the link to the SICCC Meeting Dates document and keep the state website up to date.

Shannon Omark, Burlington County Ongoing Service Coordinator (OSC) – It was mentioned that compensatory services are not an entitlement or owed. As a Service Coordinator, how should we proceed with the parents currently? About 60% of my caseload has been awarded compensatory services. My unit has brainstormed some solutions. Who should we discuss these with? The EIMS is overriding the active service pages when compensatory services are added. Is there any fix yet?

DOH Response – We will remain in a stay-put. The process by which compensatory services are being awarded is what is in place. Any adjustments to that will be forthcoming.



Mary McArdle, Children's Specialized Hospital – States she is grateful to lead agency and Catherine's Committee listening to the concerns of the NPAs. She expressed concerns that she cannot fill the spots because of the after 4:30pm and weekend hours as there is not staff to cover those times. She would be happy to be part of a workgroup or help with any ideas or suggestions.

Virginia Lynn – Asked Mary McArdle if she is referring to the new policy that the children will stay at the top of the list until they are picked up and the children that are waiting less than 30 days cannot be picked up until those at the top are?

Mary McArdle responded correct. In general, we have managed the policy in the past, but what is new is the real restrictiveness of availability.

Maria Emerson, Virtua Health – Thank you to the Commissioner and DOH Staff who supported the 7.5% rate increase. Kathleen Hinnigan-Cohen discussed the delay in filling the State positions. Virtua has been waiting more than three years for DOH to give us a Letter of Agreement (LOA). Virtua acquired Our Lady of Lourdes in 2019. We are still maintaining as two entities which is an operational nightmare. Virtua had requested a review of data for Burlington and Camden Counties when we realized an influx in referrals. This was brought up in REIC meetings and to NJEI Leadership. There is also a lack of response for guidance surrounding the compensatory services coupled with the sudden withdrawal of the temporary changes to NJEIS policy 09. We had one business day's notification that this was withdrawn. We had to hurry and change our business rules related to the broadcast assignment and train our schedulers to work very differently than they had for the past 18 months. We need guidance on how to juggle the NPA children, children owed compensatory services, some with active IFSPs, some turning three or four years old. We are concerned about the lack of checks and balances related to awarding the compensatory services. A solution would be to assess a child's current needs prior to awarding compensatory services.

Sima Reisner, Big Apple Therapy Associates– Thank you, Commissioner, Susan, and everyone else. You can not compare the number of children awaiting NPAs back in August 2021 to the number today because many of the children in August 2021 were getting services via Telehealth. Concerned no one has been able to pick up children in the last six weeks from the broadcast due to the withdraw of the temporary policy. Are there certain circumstances like a family declined alternate options that would allow us to skip over those children? This needs to be discussed with the State right away.

Patty Carlesimo, Executive Director, LADACIN – I'd like to take a minute to celebrate the news of the increase. Thank you.

Karen Olanrewaju, Sunny Days – An urgent challenge is the high rate of cancelations and no shows. Intrigued to hear about the new monitoring that the Federal Government will be doing in the next three years surrounding documentation. Can there be more data on a monthly basis regarding family and practitioner cancelations in all counties?

Kathleen Hinnigan-Cohen responded – I did mention that we are working with Christine Nogami-Engime to get this data, but we are not there yet to have anything public.

**Submitted Comments:**

Jacquelyn Schriver, Visiting Nurses Association (VNA) – (Joyce Salzberg read aloud)

Solutions for current and urgent NJEIS issues:

Number one, service coordination units should be given more funding so each Service Coordinator can begin at \$55,00.00 to \$60,000.00 salary with as close as possible to a 60:1 ratio. This will help with retention and provide better outcomes for NJEIS. Service Coordinators are wonderful resources for families. They provide many strategies and are also child development experts. They provide immense resources and time to their clients. Number two, agencies should be given temporary contracts for recruitment and counties that have a high NPA outside the county or state to clear NPA. Number three, assessments should be considered prior to offering a compensatory service amount. Number four, parent request only for compensatory sessions should be considered if they are not auto owed compensatory sessions, they should be based on parent request only. PSO should determine awards instead of the data analysts in each region. Number five, a separate compensatory service policy should be created and the NPA and the policy number 8 should be revised. Number six, when will the provider assignment policy be revised as it was open for comment in August 2022?

Shannon Omark, Burlington County Ongoing Service Coordinator (OSC) – (From Chat Messages 03:18:32)

Currently, the SC's have been advising parents with an active IFSP who are awarded compensatory services (comps) to call PSO when the current therapist or agency cannot provide the comps to discuss ongoing service options. Are there any updates for the compensatory procedure across the State? If these comps are not "entitled" or "owed", how should Coordinator's proceed with parents currently? In our County we've discussed possible solutions to include; parent request only for comps, having a separate compensatory policy from the current NPA policy in place, having a child be evaluated before comps are awarded, having comps done via Telehealth ONLY, and hiring 3rd party vendors to provide the comps. Is there anybody specific we should be contacting to discuss solutions and collaborate with about these suggestions? In addition, are there any updates in place to fix the EIMS system when comps are entered and override the active service pages?

Kelly Fenuto, VNA OSC - (From Chat Messages 03:31:34) Since, the EI grant is public knowledge, where could

I locate it on the SICCC website or is it posted somewhere else? Also, has there been any discussions or updates about increasing the salaries of SC's due to their high caseload's that surpass the 60:1 ratio in the previous grants? Perhaps offering incentives to Coordinator's who have caseloads or allow them to bill more hours for all of their hard work and dedication? Is there anyone in particular we should be contacting to discuss this in more detail?

Carolyn Russo-Azer, Cerebral Palsy of New Jersey (CPNJ) – (From Chat Messages 03:39:47) I also want to

thank Commissioner Persichilli and the department, Susan, for the 7.5% increase, this was truly a surprise. Thank you!

Cynthia Newman - (From Chat Messages 03:46:20) REICs data analysts are entering compensatory services

based on state formula - they do not make up compensatory service hours independently. Agree assessments should be done before any compensatory services offered -does the child still need the service or not??

There were no additional public comments.

The Public can submit comments to the Department or in the Chat Box which are recorded for the Department.

The next SICC public meeting is May 19, 2023, 9:30 a.m.

*MOTION* to adjourn the meeting by Virginia Lynn and seconded by Sandra Howell.